

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VIKING BANK, a Washington state banking
corporation

Plaintiff,

v.

PERFECT UNION, Official Number 510731,
her engines, Machinery, Appurtenances, etc.,
In Rem;

and

JACK I. JOHNSON and JOAN G. SHELLEDY-
JOHNSON, *In Personam*,

Defendants.

IN ADMIRALTY

Case No. C10-1035 RSM

STIPULATED ORDER GRANTING
SUMMARY JUDGMENT AND
DIRECTING SALE WITH CREDIT
BID AUTHORITY

THIS MATTER having come before this Court on plaintiff's Motion for
Summary Judgment against the defendant vessel PERFECT UNION and *in personam*
defendants Jack Johnson and Joan G. Shelledy-Johnson, and the Court, having
considered the plaintiff's motion for summary judgment and supporting documents,
defendants' stipulation to such motion and to the entry of this order and judgment, and all
other materials filed therein, now, therefore,

ORDER GRANTING SUMMARY JUDGMENT
AND DIRECTING SALE - 1

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999 THIRD AVENUE, SUITE 2600
SEATTLE, WA 98104-4011
TELEPHONE (206) 292-8008
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1. IT IS ORDERED that plaintiff's Motion for Summary Judgment and Order
2. Directing Sale is GRANTED. Judgment in favor of plaintiff against the defendant vessel
3. PERFECT UNION and *in personam* defendants Jack Johnson and Joan G. Shelledy-
4. Johnson, jointly and severally, in the amount of \$103,410.28, plus interest at the per diem
5. rate of \$26.72, from June 9, 2010, plus \$7,076.35 as its reasonable attorneys' fees and
6. costs.

7. IT IS FURTHER ORDERED that Viking Bank's Preferred Ship Mortgage is a
8. valid lien upon the Vessel, prior and superior to interests, liens, or claims of defendants
9. and any other person and is hereby foreclosed.

10. IT IS FURTHER ORDERED that the PERFECT UNION, Official Number
11. 510731, be sold pursuant to 46 U.S.C. §§ 31325(b)(1) and 31326, Supplemental
12. Admiralty Rule E(9), and Local Admiralty Rules 145, 150, and 155, free and clear of all
13. liens and encumbrances on a date and time hereafter arranged and agreed to by Viking
14. Bank and the U.S. Marshal.

15. IT IS FURTHER ORDERED that at the sale of the PERFECT UNION, Official
16. Number 510731, Viking Bank shall be permitted to bid all or a part of its judgment
17. hereunder without cash deposit.

18. IT IS FURTHER ORDERED that should excess funds remain after paying all
19. sums due others under this Order following the sale of said vessel, the excess funds shall
20. be sent to defendants Jack Johnson and Joan G. Shelledy-Johnson payable to the Cook &
21. Bartlett IOLTA Account.

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2. DATED this 27 day of December 2010.
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6. RICARDO S. MARTINEZ
7. UNITED STATES DISTRICT JUDGE
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10.

11. Presented by:

12. HOLMES WEDDLE & BARCOTT
13. A Professional Corporation
14.

15. _____
16. JOHN E. CASPERSON, WSBA #14292
17. R. SHAWN GRIGGS, WSBA #30710
18. Attorneys for Plaintiff

19. APPROVED FOR ENTRY

20. COOK & BARTLETT
21.

22. _____
23. Robert M. Bartlett, WSBA #19818
24. Attorneys for Defendants
25.
26.